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Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 28 February 2008 from the Permanent Representative of Argentina to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the Government of Argentina has decided to present its candidature to the Human Rights Council for the period 2008-2011 at the elections to be held next May.

Please find attached a copy of Argentina's voluntary pledges and commitments (see annex).

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 28 February 2008 from the Permanent Representative of Argentina to the United Nations addressed to the President of the General Assembly

[Original: English, French and Spanish]

Pledges and commitments

Argentina has decided to present its candidacy to the Human Rights Council for the period 2008-2011. In the year of its creation, Argentina was elected to be a member of it, obtaining 158 votes out of 191, but as a consequence of the initial draw for renewing its members, it had to leave its seat after the first year. On that occasion, Argentina decided not to make a bid for a new mandate in order to guarantee the principle of regional rotation.

At an early stage, since the report of the High-Level Panel, which helped the Secretary-General in 2004 to advance in the organization reform, Argentina, together with a small number of other States, supported the creation of a Human Rights Council in order to raise the profile of human rights issues in the United Nations, which was reflected in Argentina's active participation in the negotiations in New York and Geneva, as well as in different events and consultations on the matter.

Since the restoration of the democratic system in 1983 and in light of its historical-political context of institutional interruptions and mass and systematic violations of human rights during state terrorism, Argentina has taken a position of principle to defend and promote human rights at a domestic level, and has thus been able to contribute to human rights progressive, conceptual and real development of international law.

The Argentine Republic has ratified almost all of the regional and international instruments on human rights in force. Several of them were granted constitutional rank as from the reform of the National Constitution in 1994. In this framework, the country has accepted the supervision of control organs established by the human rights treaties and, in this regard it has regularly been submitting the periodical reports required.

Argentina ratified the International Convention for the Protection of All Persons from Enforced Disappearance. Argentina has signed the Convention on the Rights of Persons with Disabilities, the Protocol to the American Convention on Human Rights to Abolish the Death Penalty and the Second Optional Protocol to the International Covenant on Civil and Political Rights which seeks the abolition of the death penalty. It has also ratified the competence of the Committee on the Elimination of Racial Discrimination to receive and examine communications, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Argentina has always cooperated with the special procedures of the Commission on Human Rights. In this regard, on 3 December 2002, the Argentine Government made an open and permanent invitation to the special thematic mechanisms of the Commission, stating that the representatives and experts of the

universal human rights system will always be allowed to enter our country when requested.

Argentina has tried to prevent a protection void and to this end, in the most recent sessions of the Human Rights Council, has supported the resolutions providing for renewal of special procedure mandates. It also supports and co-sponsors a large number of resolutions. The second ordinary session approved the decision on the "Right to the truth" submitted by Argentina.

Argentina considers that the United Nations action in the field of human rights should always be inclusive and should generate mechanisms of cooperation and consultation in order to improve the human rights situation in all countries. Therefore, it has always tried to play a moderating role with the other delegations and to maintain fluent relations with the representatives of non-governmental organizations. We are aware that a cooperative attitude will contribute to a normal and successful development of the undertakings of the organization's work to boost the promotion and protection of human rights.

In this context, Argentina is satisfied to be one of the first countries to be examined by the universal periodic review mechanism. Argentina supports this mechanism for it considers it an important tool to reduce the politicization of the universal system for the promotion and protection of human rights.

The experience of a recent past with systematic and general violations of human rights and of a present which has found the way to give a place to truth, remembrance, justice and reparation have served to shape Argentine policy on this matter as a policy of principles within the country and in international relations. In this framework, for the first time in the history of democracy in Argentina, the three powers of the state, representing a mature society and a tireless national human rights movement — which has been an example for the world — have decided to remove the obstacles in order to investigate and sanction those responsible for crimes against humanity, committed during state terrorism.

Finally, in this new stage of consolidation of the Human Rights Council, we wish to make a determined contribution in order to continue improving protection standards for all peoples around the world. In this regard, Argentina commits itself to:

- Support the special procedures and consolidate the new procedures and organs accountable to the Council, rationalizing the mechanisms, as long as this does not involve a protection void.

- Review practices against regulations, such as the motion on not taking steps on a certain draft resolution. It must be pointed out that many States resort to it and justify their action by arbitrarily interpreting rule 67 of the rules of procedure of the Economic and Social Council, which is equivalent to rule 91 of the rules of procedure of the General Assembly. It is necessary for the Council members, in a spirit of dialogue and cooperation, to be willing to talk about all issues relating to the promotion and protection of human rights.

- Actively participate in the Working Group in charge of drafting a Protocol to the International Convention of 1966 on economic, social and cultural rights, based on Argentina's understanding that all human rights are indivisible and interdependent and that there is no hierarchy between them.

– Promote dialogue between NGOs and the Human Rights Council.

– Cooperate in order to reach an efficient and effective implementation of the universal periodic review mechanism.